

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
WAYCROSS DIVISION

BETTY GEORGES; and BRYANNA
STOKES,

Plaintiffs,

v.

CHARLTON COUNTY SHERIFF'S OFFICE,

Defendant.

CIVIL ACTION NO.: 5:22-cv-78

ORDER

This matter is before the Court on the January 23, 2023 Report and Recommendation.

Doc. 3. In this Report, I recommended the Court dismiss without prejudice Plaintiffs' cause of action based on Plaintiffs' alleged failure to follow the directive to either move to proceed *in forma pauperis* or to pay the requisite filing fee. Id. Prior to the expiration of the objections period, Plaintiff Georges contacted the Clerk of Court and informed the Clerk she included a check for the filing fee when she submitted the Complaint. Upon investigation, a member of the Clerk's Office located the check in the envelope that contained Plaintiffs' submission. The Clerk of Court has now amended the docket to reflect the filing fee has been paid. Dkt. entry dated Dec. 20, 2022, entered Feb. 8, 2023. Thus, the Court **VACATES** the Report and

Recommendation. Plaintiffs are advised they have the responsibility of prosecuting this case.¹

SO ORDERED, this 10th day of February, 2023.



BENJAMIN W. CHEESBRO
UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF GEORGIA

¹ To this end, the Court **DIRECTS** the Clerk of Court to amend the record and docket of this case to reflect the nature of suit is not a prisoner civil rights case; rather, this cause of action should be a 42 U.S.C. § 1983 civil rights case, as the allegations do not concern jail or prison conditions. Doc. 1. In addition, once this correction is made, the Court **DIRECTS** the Clerk of Court to issue the standard Rule 26(f) General Instruction Order to Plaintiffs.